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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/857,964	06/12/2001	Christoph Herrmann	PHD 99,147	2577

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER	
SHEW, JOHN	
ART UNIT	**PAPER NUMBER**
2664	

DATE MAILED: 05/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/857,964	HERRMANN, CHRISTOPH	
	Examiner	Art Unit	
	John L. Shew	2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 March 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,6 and 7* is/are rejected.

7)☒ Claim(s) *2-5* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 June 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

The indicated allowable subject matter is withdrawn in view of the reference(s) to Lu . Rejections based on the cited reference(s) follow.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6, 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Lu (Patent number 5815490).

Claim 1, Lu teaches a packet transmission network operating in accordance with a packet switching method (column 1 lines 37-46, column 1 lines 60-67, column 2 lines 1-7, column 2 lines 28-36) referenced by the SDH ring network using virtual containers of

packets, comprising a plurality of network nodes coupled via at least two rings (FIG. 3A) referenced by the nodes N(1)-N(5) coupled by two rings of OF1 and OF2, wherein each of the at least two rings operate in pairs that work in opposite directions (FIG. 3A) referenced by each pair with the protection ring P1 working clockwise and the working ring W1 working counterclockwise, the nodes containing each in status tables entries about the location of a defect (column 1 lines 14-18, FIG. 9A, FIG. 9B, column 6 lines 3-8) referenced by the ring provisioning table embedded at each node with information of failure about each node wherein a failure is indicated by the removal of the ADD and DROP entries for the affected node, and switched loops from one ring to another ring in a network node (column 2 lines 44-67, column 3 lines 1-4, FIG. 3A, column 3 lines 19-25) referenced by the switch of traffic from the working channel to the protection channel, wherein a network node after detecting a repaired defect is provided for changing an entry in its status table (column 4 lines 53-62, column 15 lines 38-40) referenced by the modification of the ring table due to network changes such as failure, and for transmitting a repair message of a first type about the location of the repaired defect to all the network nodes that can be reached (column 2 lines 51-61, FIG. 4B, column 8 lines 47-53) referenced by the signaling bit-coded messages including line layer failure conditions sent between nodes and the Ring Status data field of the provisioning table with indication of the amount of path switching in effect.

Claim 6, Lu teaches a network node in a packet transmission network (column 1 lines 37-46, column 1 lines 60-67, column 2 lines 1-7, column 2 lines 28-36, FIG. 3A)

referenced by the SDH ring network using virtual containers of packets transmitted by nodes N(1)-N(5), operating in accordance with the packet switching method (column 1 lines 37-61) referenced by the method as specified by Synchronous Transport Module used in SDH, the network having further network nodes coupled via at least two rings (FIG. 3A) referenced by the nodes N(1)-N(5) coupled by two rings of OF1 and OF2, wherein each of the at least two rings operate in pairs working in opposite directions (FIG. 3A) referenced by each pair with the protection ring P1 working clockwise and the working ring W1 working counterclockwise, the nodes contain in status tables entries about the location of a defect (column 1 lines 14-18, FIG. 9A, FIG. 9B, column 6 lines 3-8) referenced by the ring provisioning table embedded at each node with information of failure about each node wherein a failure is indicated by the removal of the ADD and DROP entries for the affected node, and switched loops running from one ring to another in a network node (column 2 lines 44-67, column 3 lines 1-4, FIG. 3A, column 3 lines 19-25) referenced by the switch of traffic from the working channel to the protection channel, wherein the network node after the detection of a repaired defect is provided for changing an entry in its status table and for transmitting a repair message of the first type about the location of the repaired defect to all the other network nodes that can be reached (column 2 lines 51-61, FIG. 4B, column 8 lines 47-53) referenced by the signaling bit-coded messages including line layer failure conditions sent between nodes and the Ring Status data field of the provisioning table with indication of the amount of path switching in effect.

Claim 7, Lu teaches a ring node network comprising a plurality of ring nodes (FIG. 3A) referenced by the nodes N(1)-N(5) coupled by two rings of OF1 and OF2, operating in a defect protection state (FIG. 9B, column 6 lines 6-8) referenced by the ring provisioning table state after a failure, wherein each of the plurality of ring nodes comprises a status table of defect locations (column 1 lines 14-18, FIG. 9A, FIG. 9B, column 6 lines 3-8) referenced by the ring provisioning table embedded at each node with information of failure about each node wherein a failure is indicated by the removal of the ADD and DROP entries for the affected node, wherein at least one of the plurality of ring nodes is configured transmit a repair message to all reachable ring nodes to update the reachable ring nodes status tables (column 2 lines 51-61, FIG. 4B, column 8 lines 47-53) referenced by the signaling bit-coded messages including line layer failure conditions sent between nodes and the Ring Status data field of the provisioning table with indication of the amount of path switching in effect.

Allowable Subject Matter

2. Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Citation of Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Patent 5469428, Tokura et al. discloses a loop-back system in a dual ring network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Shew whose telephone number is 571-272-3137. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

js

WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER